

REMARKS

Status of the Claims

Claims 14, 16, 17 and 34-46 are currently pending. Reexamination and allowance of these claims is respectfully requested.

I. Substance of Examiner Interview

An Examiner Interview was conducted on March 7, 2006 between Examiner Kunemund and attorney George Wheeler. The teachings of the Page publication were discussed with respect to the broad teachings of Page in relation to the specific limitations of the presently pending claims, including the present claim limitations relating to the addition of carbon. A declaration was discussed to swear behind the Page publication, and the Examiner agreed to consider such a declaration and arguments.

II. 35 U.S.C. §103(a)

Claims 14, 16, 17 and 34-46 are patentable over U.S. Patent Publication No. 2004/0154528 (the “Page publication”), filed on February 11, 2003, because the present inventors invented the subject matter of the currently pending claims prior to February 11, 2003. This is shown in the Declaration under 37 C.F.R. §1.131 executed by the inventors, attached to this Response, showing and explaining evidence of prior invention of each element of each of the claims at issue. Because prior invention of the claimed subject matter has been established in accordance with 37 C.F.R. §1.131, the Page publication is not prior art to the present application and the rejection based upon the Page publication has been overcome.

Conclusion

In view of the arguments set forth above, the Applicants submit that the current rejection under 35 U.S.C. §103(a) in light of the Page publication should be withdrawn, as the presently pending claims contain allowable subject matter. The Applicants therefore request that the Examiner allow all of the pending claims.

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Though no fee is believed to be due in connection with this response, the Commissioner is hereby authorized to charge any additional fees that are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

Respectfully submitted,


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